

**Agenda**  
**Eighteenth Regular or Special Meeting**  
**of the Twenty-Ninth Town Council of Highland**  
**Special Meeting of Monday, August 31, 2020 at 6:30 p.m.**  
Agenda organized pursuant to Section 2.05.090 (D) of the Highland Municipal Code  
This meeting will be convened as an electronic meeting, pursuant to Governor  
Holcomb's Executive Orders, 20-04, 20-09, 20-25 and extended by Executive  
Order 20-41, allowing such meetings, pursuant to IC 5-14-1.5-3.6 for the  
duration of the emergency, through to September 3.

People may observe and record the meeting for live streaming by joining the meeting on the Zoom platform <https://zoom.us/j/97572730431?pwd=Y1lqMjNGNjlnNajBXS2F6V2FwRVcydz09>.

Further, persons wishing to offer comment in the meeting may access the electronic meeting by using the preceding and adding the password for Meeting ID 975 7273 0431, password (code): 476575.

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**Pledge of  
Allegiance:**

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**Silent Roll Call:**



**A GREAT PLACE  
TO CALL HOME**

Bernie Zemen

Mark A. Herak

Mark J. Schocke

Thomas (Tom) Black

Roger Sheeman

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**COMMENTS FROM  
THE PUBLIC or  
VISITORS**

This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council regarding matters on the agenda. Persons addressing the Town Council are requested to limit their presentations to **two (2) minutes** and encouraged to avoid repetitious comments.

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**Special Orders:**

1. Ratify the calling of a special meeting for Monday, August 31, 2020, pursuant to HMC Section 2.05.130(A) (4) and .Section 2.05.130(F).
2. **Plan Commission Docket No. 2020-01:** Petitioner is seeking an amendment to the *zoning map* involving property located between Kleinman Avenue and Cline Avenue, commonly known as the Scheeringa Farm. The subject property is currently zoned R-1A Single Family (Large Lot) Residential District and petitioner seeks rezoning to R-3 PUD Planned Unit Development District, designation.

*Petitioner:* SJ Highland, LLC/Russell Group, by its counsel, James L. Wieser, Wieser & Wyllie, LLP. The Municipal Plan Commission determined a **favorable recommendation**, by a vote of six (6) in favor, none opposed at its meeting July 15, 2020. The Plan Commission's *findings of fact* were memorialized from the July 15, 2020 hearing and were officially adopted at its meeting of August 19, 2020. *The matter was certified to the Town Council for*

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*The Town of Highland acknowledges its responsibility to comply with the American with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, etc.) for participation in or access to Municipal sponsored public programs, services and or meetings, the Town of Highland requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and or meeting. To make arrangements, contact the ADA Coordinator for the Town of Highland at (219) 972-7595.*

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*its consideration and action, received in the Office of the Town Clerk-Treasurer, August 20, 2020.*

IC 36-7-4-608 (e) states that the legislative body **shall** vote on the proposal within 90 days after the plan commission certifies the proposal. Coming with a *favorable recommendation*, IC 36-7-4-608 (f) further provides that at the *first regular meeting of the legislative body after the proposal is certified or at any subsequent meeting within the 90 day period*, the legislative body may either *adopt or reject* the proposal.

**Actions.** Pursuant to IC 36-7-4-608 (f), *having received a favorable recommendation, the Town Council may either **approve** the recommendation and adopt the ordinance or **reject** the recommendation, and defeat the ordinance. If no action occurs within 90 days, the recommendation of the Plan Commission is adopted. **90 days tolls on November 17, 2020.***

**Note:** As an ordinance to amend the zoning code, IC 36-5-2-9.8 (b)(1) states the usual rules for considering an ordinance on the same night of introduction do **not** apply.

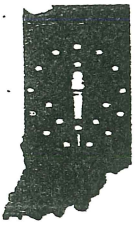
- **Ordinance No. 1720:** An Ordinance Amending the Zoning Map of the Comprehensive Zoning Ordinance Passed by the Town Council of the Town of Highland, Lake County, Indiana, on the 9<sup>th</sup> day of October 2017, by Ordinance No. 1659 and Codified as Title 18 of the Municipal Code to be Effective on the date of adoption; and hereinafter reclassifying an area in the Town of Highland, Lake County, Indiana from an R-1A Single Family Residential District to a R-3-PUD District.

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Adjournment

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*The Town of Highland acknowledges its responsibility to comply with the American with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, etc.) for participation in or access to Municipal sponsored public programs, services and or meetings, the Town of Highland requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and or meeting. To make arrangements, contact the ADA Coordinator for the Town of Highland at (219) 972-7595.*



# TOWN OF HIGHLAND

Highland Municipal Building • 3333 Ridge Road

Highland, Indiana 46322

219-838-1080 • Fax 219-972-5097



Population 23,696

Incorporated in 1910

August 19, 2020

Mr. Mark Schocke, President  
Highland Town Council  
3333 Ridge Road  
Highland, In 46322



**RE: CERTIFICATION OF ACTION TAKEN BY THE TOWN OF HIGHLAND PLAN COMMISSION CONCERNING A PROPOSED AMENDMENT TO THE TOWN OF HIGHLAND ZONING MAP/ORDINANCE AND A RECOMMENDATION TO APPROVE THE PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN/S.J. HIGHLAND, LLC/RUSSELL GROUP/SENIOR LIVING FACILITY.**

Dear Mr. Schocke,

Please allow for this correspondence to certify that the Town of Highland Plan Commission at their scheduled Public Hearing of July 15, 2020, by a vote of six (6) in favor and (0) opposed moved to send a **"Favorable Recommendation"** to the Highland Town Council for a proposed amendment to the Town of Highland Zoning Map/Ordinance from R1A(Single Family Large Lot Residential District) to R3PUD (Planned Unit Development). The proposed project, a Senior Living Facility, will consist of 60 Independent Living Units, 55 Assisted Living Units and 21 Memory Care Units to be located between Cline Avenue and Kleinman Road.

Attached please find the Plan Commissions prepared Findings of Fact concerning these matters. The Findings of Fact were approved and memorized at the August 19, 2020 Plan Commission Meeting. Should you have any questions please do not hesitate to contact me.

Sincerely,

Kenneth J. Mika  
Zoning Administrator

Cc: Town Council  
Michael Griffin  
Kelli Strbjak  
Attorney John Reed  
File

Attachment: Prepared Findings of Fact for proposed amendment of Zoning Map/Ordinance. Prepared Findings of Fact for recommendation to approve Preliminary Planned Unit Development Plan.

## TOWN OF HIGHLAND PLAN COMMISSION

Applicant:  
S.J. Highland, LLC  
c/o James L. Wieser  
Wieser & Wyllie, LLP  
429 West Lincoln Highway  
Schererville, IN 46375

Plan Commission Docket No. 2020-01

### FINDINGS OF FACT FOR FAVORABLE RECOMMENDATION TO REZONE

1. Applicant requests rezoning of the following property from R1A, Single Family Residence, to R3PUD, Planned Unit Development:

**The property commonly known as the Scheeringa Farm, containing approximately 19 acres, located between Cline Avenue and Kleinman Road. See Exhibit A, Legal Description.**

2. The matter having come for Public Hearing, the Notices examined for sufficiency, and properly published by written notice and by signage, pursuant to the Town of Highland's Zoning Ordinance. Publication in the Northwest Indiana Times has been made pursuant to statute and the proof of publication regarding the same is proper and admitted into evidence.
3. Petitioner presented evidence, documentation, and information regarding the Petition for Subdivision Approval regarding the real property commonly known as the Scheeringa Farm, containing approximately 19 acres, located between Cline Avenue and Kleinman Road. Attorney James L. Wieser was present on Petitioner's behalf, as well as Steve Kudwa, the engineer for the project, and Jennifer Smith, general counsel for the Russell Group. Mr. Wieser and the other representatives of the Petitioner spoke and presented the plans made a part hereof as Exhibit B, entitled "Final Engineering Senior Living Phase 1" from Craig R. Knoche & Associates Civil Engineers, P.C., dated March 18, 2020 as Job No. 18-003, consisting of pages C0.1 to C7.4. In addition, Mr. Wieser noted changes to the project plans since the introduction of the project, including the facility being altered from 4 stories in height to 3 stories in height, addressing fire department concerns, providing adequate parking on the east side of the project, and providing entrances, (2 total), one from Cline Avenue and one from Ernie Strack Drive. Mr. Wieser stated that there were proposed to be 60 independent living units, 55 assisted living units and 21 memory care units within the senior living facility for a total of 136 units. Mr. Wieser also spoke of the following items of value that he felt the proposed project would bring to the Town of Highland:
  - a. The project cost is \$40,000,000 and would provide 400 skilled, union construction jobs.

- b. The facility, upon completion, would provide between 85 and 100 full-time jobs.
  - c. That the real estate taxes generated would be based upon approximately \$5,000,000 in excess value.
  - d. That there would be minimal impact on first responder services.
  - e. That the facility would enhance quality of life issues for the residents of the facility and would be convenient for those with families nearby so that they could visit.
  - f. That it would open the standard housing market to younger families.
  - g. That the facility would meet the needs of the Town of Highland.
  - h. That the facility would provide physical, social, and recreational activities to its residents.
- 4. The Public Hearing was open. There were remonstrators, both for and in opposition to the application, as stated in the Minutes attached hereto as Exhibit C. The Public Hearing was closed after all present, in person and by videoconference, were permitted the opportunity to speak.
- 5. Based upon the testimony and evidence presented by the Applicant, the Town of Highland Plan Commission, having given due consideration and having paid reasonable regard to the requirements of the Subdivision Control Ordinance of the Town of Highland and the Zoning Ordinance of the Town of Highland, Chapter 18.25 and 18.70, as amended from time to time, now by a vote of six (6) in favor and zero (0) against, upon motion duly made and seconded, makes a favorable recommendation of the Applicant's proposed rezoning contingent upon the Plan Commission's approval of the Final Planned Unit Development Plan and the Plan Commission's primary and secondary subdivision plat approval.
- 6. In making such determination, the Town of Highland Plan Commission, now makes the following Findings:
  - a. Applicant has an interest in the above described properties as legally described in Exhibit A.
  - b. That the above described property is currently zoned R1A, Single Family Residence.
  - c. Applicant requests rezoning of the properties from R1A, Single Family Residence, to R3PUD, Planned Unit Development, with the conditions attached in the Preliminary Planned Unit Development Plan, to construct a proposed development of a senior housing project. That Applicant has proposed to construct the development according to the plans and specifications presented to the Town of Highland Municipal Plan Commission. Contained within the plans

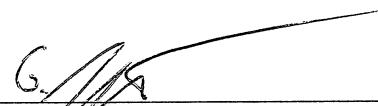
and specifications are specifications for landscaping, lighting, ingress and egress, signage, drainage, and utilities, among other items.

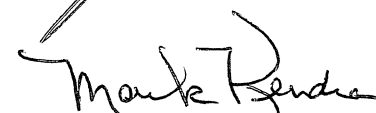
- d. The Preliminary Planned Unit Development Plan has been submitted to the Town of Highland Plan Commission and has been generally approved.
- e. That the Preliminary Planned Unit Development Plan submitted to the Town of Highland Plan Commission will be so designed that the development will minimize its appearance to homes in the surrounding neighborhood.
- f. That the Preliminary Planned Unit Development Plan submitted to the Town of Highland Plan Commission will be aesthetically compatible with the surrounding neighborhood.
- g. That the Preliminary Planned Unit Development Plan submitted to the Town of Highland Plan Commission is compatible with the general purposes of the Highland Zoning Code, will promote orderly development, and will be beneficial to the general welfare of the community.
- h. That the Preliminary Planned Unit Development Plan submitted to the Town of Highland Plan Commission is consistent with the Town of Highland Master Plan.

**WHEREFORE**, based upon the above evidence and findings, the Town of Highland Plan Commission voted six (6) in favor and zero (0) opposed to grant a favorable recommendation of the Applicant's proposed rezoning, subject to the conditions set forth above.

Action taken July 15, 2020. Findings of Fact approved the 19<sup>th</sup> day of August, 2020.

**TOWN OF HIGHLAND PLAN COMMISSION**

  
\_\_\_\_\_  
Doug Turich, President

  
\_\_\_\_\_  
Mark Kendra, Secretary

### LEGAL DESCRIPTION

PARCEL 1: That part of the West Half of the North Half of the Southeast Quarter of the Southeast Quarter of Section 27, Township 36, Range 9 West of the 2<sup>nd</sup> Principal Meridian, in Lake County, Indiana, described as follows: Beginning at the Northwest corner of the said West Half; thence South 89 degrees 41 minutes 54 seconds East along the North line of said West Half, 663.99 feet to the Northeast Corner of the said West Half; thence South 00 degrees 03 minutes 14 seconds East along the East line of the said West Half to a point 24.00 feet North of the Southeast Corner of the said West Half; thence North 89 degrees 43 minutes 08 seconds West parallel with and 24.00 feet North of the South line of the said West Half, 663.23 feet to a point on the West line of the said West Half, said point being 24.00 feet North of the Southwest Corner of the said West Half; thence North 00 degrees 06 minutes 28 seconds West along the West line of the said West Half, 637.02 feet to the Point of Beginning.

PARCEL 2: That part of the West Half of the North Half of the Southeast Quarter of the Southeast Quarter of Section 27, Township 36, Range 9 West of the 2<sup>nd</sup> Principal Meridian, in Lake County, Indiana, described as follows: Beginning at the Southwest corner of the said West Half; thence North 00 degrees 06 minutes 28 seconds West along the East line of said West Half, 24.00 feet; thence South 89 degrees 43 minutes 08 seconds East parallel with and 24.00 feet North of the South line of the said West Half, 663.23 feet to a point on the East line of the said West Half, said point being 24.00 feet North of the Southeast Corner of the said West Half; thence South 00 degrees 03 minutes 14 seconds East along the East line of the said West Half, 24.00 feet to the Southeast corner of the said West Half; thence North 89 degrees 43 minutes 08 seconds West along the South line of the said West Half, 663.37 feet to the Point of Beginning.

## **TOWN OF HIGHLAND PLAN COMMISSION**

Applicant:  
S.J. Highland, LLC  
c/o James L. Wieser  
Wieser & Wyllie, LLP  
429 West Lincoln Highway  
Schererville, IN 46375

Plan Commission Docket No. 2020-01

### **FINDINGS OF FACT FOR FAVORABLE RECOMMENDATION TO APPROVE PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN**

1. Applicant, S.J. Highland, LLC, requests an approval of a Planned Unit Development Plan set for preliminary consideration.

2. This matter having come for Public Hearing, the Notices examined for sufficiency, and properly published by written notice and by signage, pursuant to the Town of Highland's Zoning Ordinance. Publication in the Northwest Indiana Times has been made pursuant to statute and the proof of publication regarding the same is proper and admitted into evidence.

3. Petitioner presented evidence, documentation, and information regarding the Petition for Preliminary Approval of its Planned Unit Development Plan regarding the real property commonly known as the Scheeringa Farm, containing approximately 19 acres, located between Cline Avenue and Kleinman Road. Attorney James L. Wieser was present on Petitioner's behalf, as well as Steve Kudwa, the engineer for the project, and Jennifer Smith, general counsel for the Russell Group. Mr. Wieser and the other representatives of the Petitioner spoke and presented the plans made a part hereof as Exhibit A, entitled "Final Engineering Senior Living Phase 1" from Craig R. Knoche & Associates Civil Engineers, P.C., dated March 18, 2020 as Job No. 18-003, consisting of pages C0.1 to C7.4. In addition, Mr. Wieser noted changes to the project plans since the introduction of the project, including the facility being altered from 4 stories in height to 3 stories in height, addressing fire department concerns, providing adequate parking on the east side of the project, and providing entrances, (2 total), one from Cline Avenue and one from Ernie Strack Drive. Mr. Wieser stated that there were proposed to be 60 independent living units, 55 assisted living units and 21 memory care units within the senior living facility for a total of 136 units. Mr. Wieser also spoke of the following items of value that he felt the proposed project would bring to the Town of Highland:

- (a) The project cost is \$40,000,000 and would provide 400 skilled, union construction jobs.
- (b) The facility, upon completion, would provide between 85 and 100 full-time jobs.
- (c) That the real estate taxes generated would be based upon approximately \$5,000,000 in excess value.
- (d) That there would be minimal impact on first responder services.
- (e) That the facility would enhance quality of life issues for the residents of the



facility and would be convenient for those with families nearby so that they could visit.

- (f) That it would open the standard housing market to younger families.
- (g) That the facility would meet the needs of the Town of Highland.
- (h) That the facility would provide physical, social, and recreational activities to its residents.

4. The Public Hearing was open. There were remonstrators, both for and in opposition to the application, as stated in the Minutes attached hereto as Exhibit B. The Public Hearing was closed after all present, in person and by videoconference, were permitted the opportunity to speak.

5. Based upon the testimony and evidence presented by the Applicant, the Town of Highland Plan Commission, having given due consideration and having paid reasonable regard to the requirements of Indiana law and Town of Highland Zoning Ordinance Chapter 18, particularly Chapter 18.70.050, now by a vote of six (6) in favor and zero (0) opposed, upon motion duly made and seconded, preliminary approves the Planned Unit Development Plan contingent upon the Plan Commission's approval of the Final Planned Unit Development Plan and the Plan Commission's primary and secondary subdivision approval.

6. In making such determination, the Town of Highland Plan Commission now makes the following Findings of Fact:

- A. The proposed plan is in the best interest of the Town of Highland.
- B. The proposed plan will promote the public health, safety, comfort, morals, convenience, and general welfare of the Town of Highland.
- C. The proposed plan will accomplish the purposes of the Indiana statute regarding zoning.
- D. The proposed plan is consistent with Indiana statute.
- E. The proposed plan is consistent with the general purposes and goals of the Town of Highland Plan Commission, and will promote the orderly development of the Town of Highland and be beneficial to the general welfare of the community.

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**WHEREFORE**, based upon the above evidence and findings, the Town of Highland Plan Commission voted six (6) in favor and zero (0) opposed to recommend approval the Preliminary Planned Unit Development Plan.


Action taken July 15, 2020. Findings of Fact approved the 19<sup>th</sup> day of August, 2020.

**TOWN OF HIGHLAND PLAN COMMISSION**



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Doug Turich, President



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Mark Kendra, Secretary

## **TOWN OF HIGHLAND PLAN COMMISSION**

Applicant:  
S.J. Highland, LLC  
c/o James L. Wieser  
Wieser & Wyllie, LLP  
429 West Lincoln Highway  
Schererville, IN 46375

Plan Commission Docket No. 2020-01

### **FINDINGS OF FACT FOR PRIMARY PLAT APPROVAL**

1) Application has been made to the Town of Highland Plan Commission for Subdivision Approval to a proposed two lot subdivision for the property commonly known as the Scheeringa Farm, containing approximately 19 acres, located between Cline Avenue and Kleinman Road for the purpose of constructing and operating a senior living community. The Petitioner appeared for preliminary hearing on June 17, 2020, at which hearing the Plan Commission voted in favor of scheduling the matter for public hearing on July 15, 2020.

2) The matter having come for Public Hearing, the Notices examined for sufficiency, and properly published by written notice and by signage, pursuant to the Town of Highland's Zoning Ordinance. Publication in the Northwest Indiana Times has been made pursuant to statute and the proof of publication regarding the same is proper and admitted into evidence.

3) Petitioner presented evidence, documentation, and information regarding the Petition for Subdivision Approval regarding the real property commonly known as the Scheeringa Farm, containing approximately 19 acres, located between Cline Avenue and Kleinman Road. Attorney James L. Wieser was present on Petitioner's behalf, as well as Steve Kudwa, the engineer for the project, and Jennifer Smith, general counsel for the Russell Group. Mr. Wieser and the other representatives of the Petitioner spoke and presented the plans made a part hereof as Exhibit A, entitled "Final Engineering Senior Living Phase 1" from Craig R. Knoche & Associates Civil Engineers, P.C., dated March 18, 2020 as Job No. 18-003, consisting of pages C0.1 to C7.4. In addition, Mr. Wieser noted changes to the project plans since the introduction of the project, including the facility being altered from 4 stories in height to 3 stories in height, addressing fire department concerns, providing adequate parking on the east side of the project, and providing entrances, (2 total), one from Cline Avenue and one from Ernie Strack Drive. Mr. Wieser stated that there were proposed to be 60 independent living units, 55 assisted living units and 21 memory care units within the senior living facility for a total of 136 units. Mr. Wieser also spoke of the following items of value that he felt the proposed project would bring to the Town of Highland:

- (a) The project cost is \$40,000,000 and would provide 400 skilled, union construction jobs.
- (b) The facility, upon completion, would provide between 85 and 100 full-time

jobs.

- (c) That the real estate taxes generated would be based upon approximately \$5,000,000 in excess value.
- (d) That there would be minimal impact on first responder services.
- (e) That the facility would enhance quality of life issues for the residents of the facility and would be convenient for those with families nearby so that they could visit.
- (f) That it would open the standard housing market to younger families.
- (g) That the facility would meet the needs of the Town of Highland.
- (h) That the facility would provide physical, social, and recreational activities to its residents.

4) The Public Hearing was open. There were remonstrators, both for and in opposition to the application, as stated in the Minutes attached hereto as Exhibit B. The Public Hearing was closed after all present, in person and by videoconference, were permitted the opportunity to speak.

5) Based upon the testimony and evidence presented by the Petitioner, and consideration of remonstrator comments, the Town of Highland Plan Commission, having given due consideration and having paid reasonable regard to the requirements of the Subdivision Control Ordinance Chapter 17.05 of the Town of Highland as amended from time to time, now by a vote of six (6) in favor and zero (0) opposed, upon motion duly made and seconded, grants primary approval to the Petitioner.

6) In making such determination, the Highland Plan Commission makes the following written Findings of Fact pursuant to Indiana Code, I.C. §36-7-4-707, as stated in Indiana Code 36-7-4-1513, as amended from time to time:

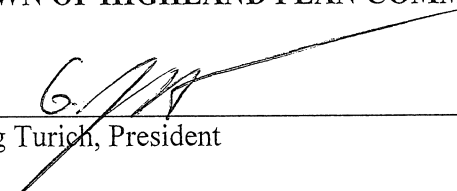
- A. That the Plat does provide for acceptable establishment of minimum width, depth, and area of lots within the Subdivision inasmuch as it does meet the minimum requirements of the Town of Highland Zoning Ordinance Planned Unit Development Section, (PUD), as amended from time to time;
- B. That the Plat does provide for acceptable establishment of Public Way Widths, Grades and Curves, as well as for the coordination of subdivision streets and entrances with existing and planned streets and highways;
- C. That the Plat does provide for the coordination with the extension of facilities included in the Town Comprehensive Master Plan, including appropriate sewer, water, storm facilities and for all other municipal services;
- D. That the Plat does provide for appropriate allocation of areas for streets, parks, schools, public and semi-public buildings, homes, businesses, utilities, and industry;
- E. That the Plat does provide for distribution of population and traffic in a manner

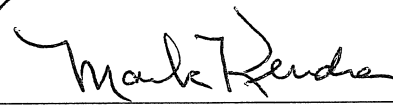
which provides conditions favorable to the health, safety, comfort, convenience, general welfare and harmonious development of the Town of Highland, inasmuch as this development is in compliance with the standards and requirements of the Town of Highland Comprehensive Master Plan currently in effect.

**WHEREFORE**, based upon the above Findings of Fact, the Highland Plan Commission, by a vote of six (6) in favor and zero (0) opposed, approved the Primary Plat of the Petitioner, contingent upon the Town Council's approval of the Plan Commission's recommendation to rezone the property from R1A to R3PUD.

Action taken on July 15, 2020. Findings of Fact approved this 19<sup>th</sup> day of August, 2020.

**TOWN OF HIGHLAND PLAN COMMISSION**

  
\_\_\_\_\_  
Doug Turich, President

  
\_\_\_\_\_  
Mark Kendra, Secretary

ORDINANCE NO. 1720  
of the  
TOWN OF HIGHLAND, INDIANA

**An Ordinance Amending the Zoning Map of the Comprehensive Zoning Ordinance Passed by the Town Council of the Town of Highland, Lake County, Indiana, on the 9<sup>th</sup> day of October 2017, by Ordinance No. 1659 and Codified as Title 18 of the Municipal Code to be Effective on the date of adoption; and hereinafter reclassifying an area in the Town of Highland, Lake County, Indiana from an R-1A Single Family Residential District to a R-3-PUD District.**

**WHEREAS,** The Town Council of the Town of Highland, Indiana, did on the 9<sup>th</sup> day of October 2017, pass a certain replacement zoning ordinance which is now in full force and effect, and which is known as Ordinance No. 1659, together with all amendments thereof and supplements thereto and codified as Title 18 of the Highland Municipal Code; and

**WHEREAS,** A petition and application for said proposed amendment was presented to the Highland Plan Commission by the Petitioner and a public hearing was held thereon according to said Ordinance 1659, together with all amendments thereof and supplements thereto and codified as Title 18 of the Highland Municipal Code, and said Plan Commission recommends **favorable approval**; and

**WHEREAS,** After due consideration and study, the Town Council of the Town of Highland, does believe that the amendment will be advantageous to said Town and will insure the public health, safety, welfare, and morals of the Citizens thereof in the area affected,

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That the following described property situated in the Town of Highland, Lake County, Indiana, which is presently designated as being **R-1A Single Family Large Lot Residential District** is hereby rezoned to **R3-PUD** Residential Planned Unit Development District, which area is more particularly described as follows:

**Parcel No. 1**

That part of the West half of the North Half of the Southeast Quarter of the Southeast Quarter of Section 27, Township 36, Range 9 West of the 2<sup>nd</sup> Principal Meridian, in Lake County, Indiana, described as follows:

Beginning at the Northwest corner of the said West Half; thence South 89 degrees 41 minutes 54 seconds East along the North line of said West Half, 663.99 feet to the Northeast Corner of the said West Half; thence South 00 degrees 03 minutes 14 seconds East along the East line of the said West Half to a point 24.00 feet North of the Southeast Corner of the said West Half;

thence North 89 degrees 43 minutes 08 seconds West parallel with and 24.00 feet North of the South line of the said West Half, 663.23 feet to a point on the West line of the said West Half, said point being 24.00 feet North of the Southwest Corner of the said West Half; thence North 00 degrees 06 minutes 28 seconds West along the West line of the said West Half, 637.02 feet to the Point of Beginning.

**Parcel No. 2**

That part of the West Half of the North Half of the Southeast Quarter of the Southeast Quarter of Section 27, Township 36, Range 9 West of the 2nd Principal Meridian, in Lake County, Indiana, described as follows:

Beginning at the Southwest corner of the said West Half; thence North 00 degrees 06 minutes 28 seconds West along the East line of said West Half, 24.00 feet; thence South 89 degrees 43 minutes 08 seconds East parallel with and 24.00 feet North of the South line of the said West Half, 663.23 feet to a point on the East line of the said West Half, said point being 24.00 feet North of the Southeast Corner of the said West Half; thence South 00 degrees 03 minutes 14 seconds East along the East line of the said West Half, 24.00 feet to the Southeast corner of the said West Half; thence North 89 degrees 43 minutes 08 seconds West along the South line of the said West Half, 633.37 feet to the Point of Beginning.

More commonly known as the Scheeringa Farm, Highland, IN.

**Section 2.** That the Zoning Map, which accompanies the Comprehensive Zoning Ordinance and which is part thereof, shall be amended and changed so as to include the "R-3-PUD" Planned Unit Development District on the specific parcels of the real estate hereinabove described, all of which was formerly "R-1A" Single Family Large Lot Residential District, and henceforth whose plan, regulations and rules governing the "B-PUD" General Business Planned Unit Development District shall apply to the specific parcel of real estate hereinabove described, respectively;

**Section 3.** That the Town Engineer is hereby ordered to make appropriate map change and that said Ordinance No. 1659 together with all amendments thereof and supplements thereto is, codified as Title 18 of the Highland Municipal Code, and the same is hereby further amended accordingly;

**Section 4.** That an emergency exists for the immediate taking effect of this amendment, and that the same shall be in full force and effect from and after its passage and adoption.

### Certificate of the Municipal Plan Commission

It is hereby certified that the foregoing proposed rezoning amendment was considered at a regular ~~or special~~ meeting by the Highland Municipal Plan Commission, and said rezoning request, having first passed by a vote **6** in favor, and **0** opposed, for a favorable recommendation, is now duly forwarded by a vote of 7 affirmatives and 0 negatives, with a favorable recommendation, for adoption to the Town Council of the Town of Highland by the Highland Municipal Plan Commission on the 19<sup>th</sup> day of August 2020, pursuant to IC 36-7-4-605(a)(3).

TOWN OF HIGHLAND  
MUNICIPAL PLAN COMMISSION

  
\_\_\_\_\_  
Doug Turich, President

Attest:

  
\_\_\_\_\_  
Mark Kendra, Secretary



**Approval by Legislative Body**

Having received the forgoing recommendation of the municipal plan commission pursuant to the duty set forth in IC 36-7-4-605(d), and pursuant to the provisions of IC 36-7-4-608(e), and IC 36-7-4-608(f) the Town Council considered the favorable recommendation of the municipal plan commission at its meeting of \_\_\_\_\_ being the first regular meeting or a subsequent meeting within ninety days following the certification of the proposal.

**Duly Ordained and Adopted/Rejected**, pursuant to the provisions of IC 36-5-2-9.8 (b)(1) by the Town Council of the Town of Highland, Lake County, Indiana, this \_\_\_\_ day of \_\_\_\_\_ 2020, having passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

\_\_\_\_\_  
Mark J. Schocke, President (IC 36-5-2-10)

*Attest:*

\_\_\_\_\_  
Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)